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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,401	03/31/2000	James L. Boney	07442.0010-02	2208

32026 7590 07/10/2003

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EXAMINER

HARRIS, CHANDA L

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 07/10/2003

*24*

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 09/540,401	Applicant(s) BONEY ET AL.	
	Examiner Chanda L. Harris	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/24/03, 6/30/03.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
    1. ☐ Certified copies of the priority documents have been received.  
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
    \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
    a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Status of Claims***

In response to the Amendments filed on 4/24/03 and 6/30/03, Claims 5-35 are pending.

### ***Specification***

1. The disclosure is objected to because of the following informalities:

- Appletalk is not properly cited as a trademark/trade name.

- The continuity and related applications data on page one of the specification needs to be updated.

Appropriate correction is required.

2. For consideration of the amended specification filed on 10/1/02, Applicant needs to provide a "no new matter" statement. This is to affirm that no new matter has been introduced into the specification.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 5-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman in view of Greaves et al. (US 6,195,687).**

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1. [Claims 5,16,26]: Regarding Claims 5, 16, and 26, Freeman discloses a client communication system that receives control data from at least one of the plurality of clients, the control data associated with tasks to be performed for a training exercise. See Col.2: 63-Col.3: 3. Freeman discloses a device management system that provides low-level commands (i.e. assembly or machine language) for the electronic training devices (e.g. online modules, chat sessions, conferences, course content, TV WEB browsers, WEB access device, workstations, etc.) based on the control data from the at least one client to implement functions that change a configuration of the electronic devices. See Col.5: 42-61, Col.6: 25-34, Col.9: 19-24. Freeman discloses a control system (i.e. server) configured to access a first set of two or more of the electronic training devices based upon one or more requirements of the training exercise, the control system manipulating the first set of the electronic training devices according to the control data using the low-level commands provided by the device management system to perform portions of the training exercise. See Col.5: 42-61 and Col.6: 25-34. Examples of requirements are adherence to a protocol such as the Internet protocol and the capability of conducting training exercises off-line.

Freeman does not disclose expressly wherein the changed configuration (e.g. slave node device used as a teaching aid during a classroom session or a test administering element) results in manipulating fundamental operations of the electronic training devices that the electronic training devices are originally configured to perform (i.e. state of control predefined (by the system)). However Greaves teaches such in Col.2: 15-36 and 3: 22-35. Therefore, at the time of the invention, it would have been

obvious to one of ordinary skill in the art to incorporate the aforementioned limitation into the method and system of Freeman, in light of the teaching of Greaves, in order to enable custom configuration of slave devices for a particular teaching environment.

2. [Claims 6, 17, 27]: Regarding Claims 6,17, and 27, Freeman discloses wherein the control system is further configured to access a second set (e.g. online experts, online textbooks) of one or more electronic training devices based upon the requirements of the training exercise, the control system manipulating the first set and the second set of the electronic training devices for the training exercise. See Col.6: 25-34.

3. [Claims 7,18,28]: Regarding Claims 7,18, and 28, Freeman discloses whereon the control system comprises a resource control system (i.e. host system) which receives overhead information from a server, the overhead information representing a generic set of commands to control the first set of electronic devices for the training exercise, the resource control system interpreting the overhead information to manipulate at least one of a first type and a second type of electronic training devices in the first set. See Col.5: 1-30.

4. [Claims 8-9, 19-20, 29-30]: Regarding Claims 8-9,19-20, and 29-30, Freeman discloses wherein the at least one client comprises a computer device and wherein the first set or a second set of the electronic training devices comprise computer network components. See Col.5: 51-57.

5. [Claims 10, 21,31]: Regarding Claims 10,21, and 31, Freeman discloses wherein the first set or a second set of the electronic training devices execute at least one instruction in the control data. See Col.5: 38-39.

6. [Claims 11, 22,32]: Regarding Claims 11,22, and 32, Freeman discloses wherein the first or the second set of the electronic training devices provide one or more results (e.g. course content) of the at least one instruction execution back to the at least one client through the interface system, the interface system translating the results from a first format understood by the at least one client, the communication system transmitting the translated results back to the at least one client. See Col.5: 42-50.

7. [Claims 12, 23,33]: Regarding Claims 12,23, and 33, Freeman discloses wherein the communication system authorizes and provides the at least one client with access to the first set or a second set of the electronic training devices. See Col.6: 25-34.  
Authorization of the client is considered to be an inherent feature of Freeman's invention.

8. [Claim 13]: Regarding Claim 13, Freeman discloses wherein the communication system is operatively coupled to the at least one client by a network. See Col.5: 1-4.

9. [Claims 14,24,34]: Regarding Claims 14,24, and 34, Freeman discloses wherein the interface system translates the control data from a first format understood by the at least one client to a second format understood by a first set or a second set of the electronic training devices. See Col.5: 10-17.

10. [Claims 15, 25,35]: Regarding Claims 15,25, and 35, Freeman discloses an infrastructure control system (i.e. operating system) that communicates with the control

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system (i.e. host system) to enable a second set of the electronic training devices to be used with the first set for the training exercise. See Col.4: 33-51.

### ***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Pollak (US 6,106,298)  
-reconfigurable easily deployable simulator

### ***Response to Arguments***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

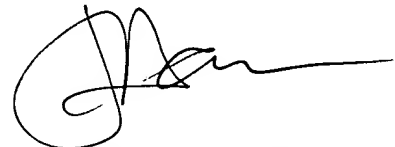
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

ch.

ch.  
July 3, 2003



JESSICA HARRISON  
PRIMARY EXAMINER